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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS J. WILLIAMS,

Plaintiff,

No. CIV S-05-0164 DFL PAN P

vs.

R. W. SANDHAM, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed July 7, 2005, the United States Marshal was directed to serve process on, inter alia, defendant P. Mangis. On September 27, 2005, defendant Mangis together with two other defendants filed an answer to the complaint. On September 28, 2005, service directed to defendant Mangis was returned unexecuted. On December 19, 2005, plaintiff filed a motion to compel by which he seeks additional information in order to accomplish service on defendant Mangis. On February 9, 2006, the court again ordered the United States Marshal to serve process on defendant Mangis. In view of said defendant's September 27, 2005 answer to the complaint, that order will be vacated, and plaintiff's motion to compel will be denied as moot.

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1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Plaintiff's December 19, 2005 motion for an order compelling discovery is
3 denied;

4 2. The court's February 9, 2006 order directing the United States Marshal to serve
5 process on defendant Mangis is vacated; and

6 3. The Clerk of the Court is directed to serve a copy of this order on the United
7 States Marshal.

8 DATED: February 23, 2006.

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11 UNITED STATES MAGISTRATE JUDGE

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